

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA  
Montana Twenty Second Judicial District Court, County of Big Horn

STATE OF MONTANA,	)	
	)	
Plaintiff,	)	
	)	CAUSE NO. DC-15-071
vs.	)	
	)	DECISION - WAIVED
RUSSELL DEAN WALLACE,	)	
	)	
Defendant.	)	

On December 6, 2016, the District Court revoked Defendant's suspended sentence for violating the conditions of probation and sentenced Defendant to a commitment to the Montana Department of Corrections for a period of five (5) years, with two (2) years suspended, for the offense of Count I: Criminal Child Endangerment, a Felony, in violation of §45-5-628, MCA. The Court granted Defendant credit for time served in the amount of nine (9) days. The Court recommended Defendant receive programmatic drug abuse treatment and counseling while in the custody of the Montana Department of Corrections.

On May 4, 2017, the Defendant's application for review of that sentence was heard by the Sentence Review Division of the Montana Supreme Court.

The Defendant appeared by Vision Net from the Connections Corrections program in Butte and was represented by Brent Getty of the Office of the State Public Defender. The State was not represented.

Before hearing the application, the Defendant was advised that the Sentence Review Division has the authority not only to reduce the sentence or affirm it, but also increase it. The Defendant asked to speak to his attorney privately and did so. Once the hearing reconvened the Defendant stated that he did not wish to proceed and requested to waive his right to sentence review.

The Division finds that the Defendant waived his right both knowingly and voluntarily. Therefore, it is the unanimous decision of the Sentence Review Division that the application for review of sentence is **WAIVED**.

Done in open Court this 4<sup>th</sup> day of May, 2017.

DATED this 31 day of May, 2017.

SENTENCE REVIEW DIVISION



Hon. Brad Newman, Chairperson



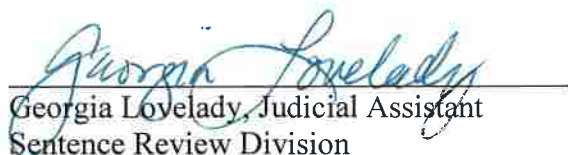
Hon. Kathy Seeley, Member



Hon. Brenda Gilbert, Member

Copies mailed this 2nd day  
of June, 2017, to:

Clerk of District Court (Original)  
Russell Dean Wallace #3018469, Defendant (2)  
Hon. Blair Jones  
Brent Getty, Defense Counsel  
Gerald Jay Harris, Esq.  
Board of Pardons and Parole  
MSP - Records Dept.



Georgia Lovelady, Judicial Assistant  
Sentence Review Division